

Message Text

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ORIGIN L-03

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FM SECSTATE WASHDC

TO AMEMBASSY TEHRAN IMMEDIATE

UNCLAS STATE 006358

E.O. 11652 - N/A

TAGS: ASCH, IR

SUBJECT: TEHRAN AMERICAN SCHOOL

REF: TEHRAN (A) 9015; (B) 2220

1. THE DEPARTMENT HAS REVIEWED CORRESPONDENCE FROM SUPER-INTENDENT NEIL THOMAS TO A/OS AND FROM THE GSO (FERIS) TO A/FBO IN CONNECTION WITH REFTEL AND HAS CAREFULLY CONSIDERED QUESTION OF ASSUMPTION BY USG OF TITLE TO CERTAIN PROPERTIES INTENDED FOR USE BY AMERICAN SPONSORED SCHOOL AT TEHRAN.

2. ACQUISITION OF PREMISES FOR THIS PURPOSE BY USG, INCLUDING CIRCUMSTANCES WHERE THE USG WOULD NOT BE OBLIGATED TO EXPEND APPROPRIATED FUNDS FOR ACQUISITION, POTENTIALLY RAISES DIFFICULT CONGRESSIONAL AND LEGAL PROBLEMS. UNLESS DEPARTMENT DETERMINES CRITICAL NECESSITY EXISTS TO UTILIZE EXISTING STATUTORY AUTHORITY TO ASSUME THE TITLE TO LAND OR BUILDINGS IN ORDER TO
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SUSTAIN OPERATIONS OF MISSION SUPPORT FACILITIES,

DEPARTMENT PROBABLY WOULD DECLINE THAT OPTION AT THIS TIME. THIS HAS BEEN DISCUSSED AT LENGTH WITH BROWN (ADMIN) WHO WILL BE EN ROUTE TO POST ETA MID-JANUARY.

3. IN RESPONSE RECOMMENDATIONS OF EMBASSY AND SCHOOL BOARD, HOWEVER, DEPARTMENT WILL CONTINUE CONSIDER THIS

MATTER BUT WILL REQUIRE ADDITIONAL INFORMATION AS FOLLOWS:

A. BACKGROUND FOR AND COPY OF EXCHANGE OF NOTES BETWEEN EMBASSY AND FORMIN CONCERNING ESTABLISHMENT EDUCATIONAL FACILITIES (PARA 2 REFTEL (A));

B. CURRENT GOI POSITION RE STATUS OF SCHOOL, TOGETHER WITH INFORMATION RE STATUS OF EMPLOYEES OF SCHOOL, INCLUDING TAX STATUS AND PRIVILEGES AND IMMUNITIES, NECESSITY FOR WORK VISAS, IF ANY, OR OTHER MATTERS RELATING TO PERSONAL OR OFFICIAL STATUS IN IRAN;

C. COPIES OF EXISTING LEASES OR OTHER PROPERTY ARRANGEMENTS ON PRESENT LAND AND/OR STRUCTURES, INCLUDING STATEMENT AS TO FUNDING SOURCES FOR ACQUISITION AND OPERATION;

D. DESCRIPTION AND LOCATION OF SCHOOL PROPERTIES, INDICATING WHICH SITE(S) WOULD POTENTIALLY BE INVOLVED IN USG REQUEST FOR ACQUISITION TITLE OR OFFER BY GOI OF THE PROPERTY TO USG;

E. WHAT IS FEASIBILITY OF USG ACQUIRING TITLE, THROUGH TAS PURCHASE OR GOI GRANT, OR BOTH, OF ALL PARCELS OF PROPERTY INVOLVED IN OPERATING NEW EDUCATIONAL FACILITY? USG ACQUISITION OF TITLE TO ONE PARCEL, WHERE ADJACENT PARCELS OF PROPERTY, USED BY AND NECESSARY FOR OPERATION OF SCHOOL FACILITY, REMAIN UNDER BOTH PRIVATE OWNERSHIP AND SHORT TERM LEASE, COULD WELL RESULT IN DIFFICULT COMPLICATIONS IN FUTURE FOR DEPARTMENT.

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F. DEPARTMENT NOTES (PARA 3 REFTEL (A)) THAT IT HAS APPARENTLY BEEN SATISFACTORY ALREADY TO CONSTRUCT SUBSTANTIAL NEW EXPANSION FACILITIES ON LEASED LANDS; WHAT HAS NOW CAUSED USG TITLE OWNERSHIP TO BECOME IMPERATIVE AT THIS TIME?

4. DEPARTMENT HAS NO OBJECTION TO INITIAL INQUIRIES ON INFORMAL BASIS BY EMBASSY (PARA 4 REFTEL (A)) TO GOI

ON ACQUISITION OF TITLE AND/OR DONATION LAND BY GOI
EXCEPT THAT IT MUST BE UNDERSTOOD BY GOI THAT DEPARTMENT
HAS NOT REPEAT NOT AGREED TO ACCEPT EITHER ALTERNATIVE
AT THIS TIME. AS INDICATED PARA 1, ABOVE, DEPARTMENT
RELUCTANT CONSIDER ACQUISITION OF PROPERTY TITLE BECAUSE
OF SUBSTANTIAL CONGRESSIONAL AND LEGAL PROBLEMS.
AUTHORITY CONTAINED HEREIN IS ONLY FOR PURPOSES EXPLOR-
ING OPTIONS IN ORDER AVOID SUBSTANTIAL DELAY IN

CONSIDERING THOSE OPTIONS FULLY IF NOT MADE AT THIS TIME.
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